Gentlemen.

[illegible] herewith inclose you an authenticated Copy of the last Will & Testa- ment [illegible] Joseph Dobbins, by which you will find, from the [illegible] [illegible] you & the [illegible] Institution for which you are in Trust, tha[illegible] [illegible] in Tru[illegible]

For your [illegible] & Satisfaction, I beg leave to state, that Mr. Dobbins, dur- ing his last [illegible] for some Time before had his Home in my Family — was much afflicted with the [illegible], & generally for eighteen months of his life last spent was pressed with most of those infirmities which visit persons of his years (being in the seventy second year of his age.) Under this Burden he departed this life on the 29th of May last — The day after was his Funeral, which was decent & respectable — and on the next Morning I called in a few of my Neighbors, (some of whom were pre- sent with me when he died, & in whose presence, I, as soon as he departed, called for his Keys, locked his Trunks & sealed up the Keys) & after submitting the Seals which bound the Keys to their inspection, & they pronouncing them safe, we then broke them, took the Keys, opened one of his Trunks, in which, his two little servant Girls who attended him, said their Master kept his papers — this we did with a view to see if any, & what disposition he had made of his property — We searched but a little Time amongst his papers, till we found a Will which appeared to be duly executed, & of which the inclosed is a Copy — On meeting with this, & after reading it — it was thought proper to stop here, put all back into the Trunk, lock & seal up the same, & that I should address a letter to Thomas Jones Esquire of Charleston S. Carolina, he being the Executor named in the will who lived nearest to this place, & give him such information in the case as might be necessary — this was forthwith done — & I suggested the propriety of proceeding to take an Inventory of such papers & other property as Mr. Dobbins was in possession of at his Death — this suggestion however was not thought necessary by those whom I consulted considering the situation of Things, & as in all probability I would be soon relieved from my charge at the instance & under the Direction of those authorized by the Will to do so — in my Letter to Mr. Jones, before mentioned, I requested him to make such Communication to the concerned in Philadel- phia as he might think proper — By the return of the Mail from Charleston, I was favored with an answer from Mr. Jones, acknowledging the receipt of my letter, & requesting of [illegible] to forward to him a Copy of Mr. Dobbins's Will, so that he might [illegible] the [illegible] of the same, & determine whether it would be [illegible] [illegible] undertake, at his advanced age, the Duties therein en- [illegible] [illegible] him as Executor — calling in my said Neighbors again a[illegible] [illegible] to them the Contents of Mr. Jones's letter, we in the presen[illegible] [illegible] the [illegible] Trunk, took out Mr. Dobbins's Will, which I copied, & [illegible] [illegible] with Mr. Jones [illegible] locked said Trunk in presence of said Neighbors, &

gave the Key in safe keeping to one of them — In two weeks after [illegible] from Mr Jones a letter, covering legal advice to him of which the following is a copy

Charleston [illegible]

Dear Sir  Your favour of the 8th Instant covering a copy of the late [illegible] Will came to hand in due time, & would have been done [illegible] but I thought best, first to get legal advice thereon, in order to make a proper determination. Enclosed you have Copy of the opinion given me by Henry Bailey Esq by which you will see that the Vestry & Wardens nominated in the Will, cannot be Executors; that therefore the Burden & responsibility would fall upon me alone, & that I cannot be relieved therefrom, but by permission of the Court of Equity on application of the parties in Philadelphia — This circumstance with the insurmountable inconvenience that it would be to me, to do the business in the District to which it belongs; & the consideration that it will be in the power of the Institution that is to be benefited to authorise Agents that will be fully as competent, has determined me to decline the undertaking. I take the Liberty however to remark, that as the Lot has happened to fall upon you, to take care of the property till there is some legal authority to take the charge, I think it would be prudent & advisable to have the will proved & deposited in the proper place, which I suppose would be with the Ordinary, & as you will have continued opportunities by the Post, that you would communicate to the concerned at Philadelphia, the situation of the business, sending also an authenticated Copy of the Will — This being done, I have no doubt that you will soon be relieved from your charge.

I am with Esteem —
yours respectfully
(signed) Thos Jones.

The Revd Mr Dunlap.

Charleston. 18 June. 1804.

Dear Sir. I have attentively perused the last will & testament of the late Joseph Dobbins, & thereupon make such remarks as may be useful to you in executing the office of an Executor.

The Will appears to be duly executed, & with an exception hereafter mentioned is to be carried literally into execution, the Codicil being taken as part of the Will — With the Lands the Executor has nothing to do; but Mr & Mrs Dunlap will immediately take possession thereof, subject to the payment of debts in case the residuary bequests fall short.

The Vestry & Wardens of Christ & Saint Peters Churches of Philadelphia, as such, cannot be Executors, consequently Mr Jones alone is legally nominated. I feel satisfied on this point; & it is time enough to examine authorities & be [illegible] when the matter is made a question.

On application to John Hopkins Esquire, Ordinary for [illegible] District [illegible] receive [illegible] of the Will, & grant a Dedimus potestatem directed to [illegible] qualification [illegible] which being done, he will issue his warrant to appraisers [illegible] Inventory & appraisement must then have your Subscription [illegible] Bank Stock

Opinion [illegible] the Vestry & Wardens of Christ & Saint Peters Churches of the City of Philadelphia.

[illegible] I have [illegible] brought in agreement with [illegible] Yours with great regard [illegible]
Columbia. S. Carolina. Aug 18. 1804

and notes, or other [illegible] of debts due.

The [illegible] of the Bank Stock must from time to time be remitted to the authoriz[illegible] [illegible] Church Wardens above mentioned, or such other persons [illegible] [illegible] to poor & distreſsed Widows &c, unleſs those persons shall be disp[illegible] [illegible] the Stock sold out.

[illegible] in the attempt to emancipate the Girl Matilda, the sam[e] not being [illegible] to the requisites of a late Act of our Legislature without which no Negroe can be [illegible]: However if her testamentary Guardians apply to the Court of Equity, it is probable that Court would make such an Order as will indemnify you for carrying the intentions of the Testator into effect; I would advise you not to do it without, tho' I presume you have the power.

As a Will in writing duly made cannot be repealed by a verbal request, the Gift of Cloaths to the poor Man must fail — But if they are of no great value the giving them up might be riequed — as the Widows cannot be ſuppoſed to the concealment of nakedneſs, & because that to require an account of the Cloaths (being those of a Man & useleſs to the Ladies) would be against Conscience.

I am respectfully,

your Obt. Humble Servant

(Signed) Henry Bailey

Hence Gentlemen;

In pursuance of Mr. Jones's advice in his letter aforesaid addreſsed to me, I forthwith lodged Mr. Dobbins's Will in the Ordinaries Office of this District, & requested him to have the same proven as soon as poſsible, & let me have an authenticated Copy thereof to forward to Philadelphia without loſs of time — Such Copy the Ordinary has this day favored me with, & as before mentioned is herewith sent.

I lament that Mr. Jones does not find it convenient to act as Executor, both on my own account, as well as that of the concerned in Philadelphia. Whether Mr. Bailey is correct in his opinion that the Vestry & Wardens above mentioned, as such, can not be Executors is not for me to say — but will remain with you to determine — Be this matter as it may, I hope such measures will speedily be pursued to relieve me of the charge of taking care of such papers & other things as Mr. Dobbins died poſseſsed of at my House. I am convinced Mr. Dobbins's just debts are few — being little more than Funeral expenses, & his Physicians Bill for a few days before he died — I am also certain that he held sundry notes of hand perhaps to the amount of five & twenty hundred or three thousand dollars — several of which the Old Gentleman had put [illegible] before he died — others he had not — Yesterday I received a M[illegible] of the persons whom Mr. Dobbins had sued on a note [illegible] hundred Dollars, begging that the suit against him might [illegible] that he would certainly pay off his note early in [illegible] fall — Hence [illegible] urgent neceſsity for something to be done [illegible] Time know, to whom they are to [illegible] they can securely receive their Obligations [illegible] earliest post.

The Revd. Mr. Dunlap                                                    Sept. 3

Revd. Sir

Your letter of 13 August last covering an authenticated copy of the Will of the late Mr. Wm. Dobbins came to my hand this day — It is my [illegible] that a Vestry will shortly be called, who will direct what may be proper [illegible] the Will

I am Revd. Sir your Obliged Humble Servt.

Thos. Cumpston
Church Warden of the
United Ep. Churches of Ch. Ch. & St. Peters

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Columbia SC August 25 — 10 cts — 100

To the Vestry and Wardens of Christ and Saint Peters Churches

Philadelphia

Mail

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10. Augt. 1804 — from D. E. Dunlap
to Vestry — Enclosing
copy of Dobbins's Will

# In the Naime of God, Amen

I Joseph Dobbins of Collombia, in the State of South Carolina, being of sound mind and mimmory, thanks be to God, do make and ordain this my last Will & Testiment. It is my Will that all my Just Depts be paid as sune as possible, thay being of no magnitude.

Item. I do order that my savant Gairle Mettilda abought Eleven years old, (a Mulatta) be set free at my desiase.

Item. I also wish, and order, that all my Estate, reail and pursonal, consisting of one hundred and swenty six shears, in the Bank of South Carolina, together with other property Amounting to Six Thousand Dollars, or thear abought, be given to the Poor, and destrest Widdows suported by the bounty of Doctor Carsley in Christ Church Housepitable. And I do hear by nominate and appoint my trustey Frend Thomas Jones (President of the Bank of South Carolina) my Executor to this my laste Will and Testiment, in conjunction with the vestry and Wardens of Christs and saint Peter's Churches of the City of Philadelphia. In Witness wheare of I hav here unto set my hand seale this ninteen day of July 1803.

Joseph Dobbins

Witness
Hugh Grant
Jas. Pearle
Jesse Perry

Security has been given for the above Negro conformable to an Act of the Legislature of South Carolina

South Carolina
Richland District

Appeared before me Jesse Perry, who being duly sworn on the Holy Evangitists of Almighty God, saith that he did see Joseph Dobbins, sign, seal and acknowledge the above Instrument of writing to be his last Will, and Testament and at the time of executing the same, he appeared to be of sound mind, memory and understanding; and that this deponant, together with Hugh Grant and James Pearl subscribed their names as Witnesses to the due Execution of this said last Will and Testament.

Sworn to 7th. August 1804.
before Sim: Taylor Ordy. Richland District

Jesse Perry

South Carolina Richland District Ordinary's Office

A true Copy of the original Will remaining in my Office 13th August 1804.

Sim: Taylor
Ordinary

I Joseph Dobbins within mentioned being of sound mind and memory, do declare this to be an addition, or Codicil to my Will within mentioned, that is to say, I give to my Friend the Revd. John Foster my Silver quart Tankard marked M.F.

I Give, devise, and bequeath to the Revd. David E. Dunlap, and his Wife Mrs. Susanna P. Dunlap, and to their Heirs and assigns forever all those three Lots of Land in the Town of Columbia, known in the plan of the said Town by numbers; Twenty, Twenty-one and Twenty two; On Taylor Street, which I purchased of Thomas H. Wade, notwithstanding any thing therein within mentioned, also all the remainder of my Silver Plate (after taking out the above mentioned Tankard) —

It is also my Will, I do hereby nominate, constitute and appoint my Friends the Revd. David E. Dunlap, and his Wife Mrs. Susanna P. Dunlap Guardians to the within mentioned Girl Matilda, and also Guardian to the Negroe Girl Amey (who I have before set free) until they arrive to the age of Eighteen years, or day of Marriage, either that may first happen. In Witness whereof I have hereunto set my hand and Seal this Eleventh day of April One Thousand Eight hundred & four.

Joseph Dobbins (Seal)

The words "notwithstanding any thing to the contrary thereof within mentioned" being first interlined, before signing

B. Waring
R. Hendrick
Danl. Wade

Ordinaries Office
Richland District

Appeared before me Doct. Robert Hendrick who being duly Sworn on the Holy Evangelists of Almighty God, saith that he saw Joseph Dobbins, sign seal and acknowledge the above Instrument of Writing to be a Codicil to his last Will and testament within contained, and that this deponant, together with Benja. Waring and Daniel Wade were witnesses to the due Execution of the said Instrument of writing, or Codicil, and that the said Joseph Dobbins at the time of making the same appeared to be of sound mind, memory and understanding. —

R. Hendrick

Sworn to 10th August 1804

Simon Taylor
Ordinary.

DOBBINS
COPY OF WILL

South Carolina
Ordinary's Office
Richland District

A true Copy taken from the original remaining in my Office 13th August 1804

Simon Taylor
Ordinary

Copy of Will & Codicil of J. Dobbins